

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

TUESDAY, THE 17TH JULY 2007 / 26TH ASHADHA 1929

WP(C).No. 2092 of 2004(Y)

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AGAINST THE ORDER DATED IN IP.3/1100 ME IN
IA.7/2003 of ADDL.SUB COURT,KOLLAM
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PETITIONER:

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ALIYARU KUNJU, S/O. JAMAL MOHAMED,
MEVARATHU PUTHEN VEEDU, KEEZHUTHONI MURI,
ITTIVA VILLAGE, NOW RESIDING IN SHEMEER VILLAGE,
-DO- VILLAGE, VAYYANAM P.O., KOTTARAKKARA.**

**BY ADV. SRI.P.KESAVAN NAIR
SRI.K.G.CLEETUS**

RESPONDENTS:

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- 1. THE COURT OF THE ADDITIONAL SUBORDINATE
JUDGE, KOLLAM.**
 - 2. OFFICIAL RECEIVER, KOLLAM.**
 - 3. VILLAGE OFFICEER, KOLLAM WEST VILLAGE.**
 - 4. VILLAGE OFFICER,
KOLLAM EAST VILLAGE.**
 - 5. VILLAGE OFFICER,
VADAKKEVILA EAST VILLAGE, KOLLAM.**
 - 6. VILLAGE OFFICER,
VAYYANAM VILLAGE, KOTTARAKKARA.**
 - 7. VILLAGE OFFICER,
KOTTUKAL VILLAGE, KOTTARAKKARA.**

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WPC.NO.2092/2004 Y

8. SUB REGISTRAR, KOLLAM.

9. SUB REGISTRAR, ERAVIPURAM.

10. SUB REGISTRAR, CHADAYAMANGALAM.

BY GOVERNMENT PLEADER

BY ADV. SRI.P.B.SURESH KUMAR

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 17/07/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WPC.NO.2092/2004 Y

APPENDIX

PETITIONER'S EXHIBITS:

- EXT.P1: COPY OF SALE DEED NO.1568 OF THE SUB-REGISTRY,
CHADAYAMANGALAM DTD. 10/04/1985.**
- EXT.P2: COPY OF JUDGMENT IN M.F.A.NO.848 OF 1992 (B) DTD.
26/11/2001.**
- EXT.P3: COPY OF PETITION IN I.P.NO.3/1100 SUBMITTED BY
OFFICIAL RECEIVER, KOLLAM BEFORE THE ADDL.SUB COURT,
KOLLAM.**
- EXT.P4: COPY OF ORDER IN I.A.NO.7/2003 IN I.P.NO.3/1000 ME OF THE
ADDL. SUB JUDGE, KOLLAM.**

11TH RESPONDENT'S EXHIBITS:

- EXT.R11(A): COPY OF THE CLAIM PETITION FILED BY ANNAMMA OOMMEN
BEFORE THE SUB COURT, KOLLAM IN I.P.NO.3/1100 ME
DTD.NIL.**
- EXT.R11(B); COPY OF THE ORDER PASSED BY INSOLVENCY COURT IN
I.P.NO.3/1100 ME DTD. 9/10/2002.**

/TRUE COPY/

KSS

PIUS C. KURIAKOSE, J.

W.P.(C) No.2092 of 2004

Dated: 17th July, 2007

JUDGMENT

The strenuous submissions of Mr.P.Kesavan Nair, learned counsel for the petitioner notwithstanding, I am not inclined to set aside Ext.P4 straightaway invoking the supervisory jurisdiction of this court under Article 227 of the Constitution. Ext.P4 will be treated by all concerned parties as an interim order. It is open to anybody who is affected by Ext.P4 to enter appearance before the learned Subordinate Judge, file counter affidavit to Ext.P3 and move the learned Subordinate Judge for varying Ext.P4.

The Writ Petition is disposed of as above. No costs.

srd

PIUS C.KURIAKOSE, JUDGE